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Detering a Critical Catharsis: An Inquiry into the Rhetoric and Ethics of Punishment in *Wieland; or the Transformation*

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An Inquiry into the Rhetoric and Ethics of Punishment in *Wieland; or the Transformation*

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Abstract:

From Hammurabi's Code to modern-day penitentiaries, a society's chosen punishment models contribute to that society's ethics. In Charles Brockden Brown's *Wieland; or the Transformation* (1798), characters interact with one another in an isolated community. These interactions center on Wieland's murder of his family, and how his mind was influenced toward murder by Carwin, an ex-convict. Here, a reader is faced with deciding who to blame. However, solely focusing on criminal culpability ignores a rhetorical problem left unexamined by past scholars—that of criminal punishment in the novel. This problem involves two issues—first, the factors that motivate a society to choose certain punishment models, and secondly, a 21st century audience's reaction to these motives. Thus, by analyzing the motives for punishment models in *Wieland*, and how these motives relate to our society, I argue that a reader should finish reading the text with a desire to reform our societal institutions.

For critic Laura Korobkin, *Wieland; or the Transformation* reads as a text obsessed with this tension between a society's legal structure and its people. Her article, "Murder by Madmen: Criminal Responsibility, Law, and Judgment in *Wieland*," discusses the novel as evidence of Brown's two frustrations with the law—specifically, its futile attempt to compartmentalize human interaction into codes of morals, and its inability to mitigate problems stemming from this human interactions. Much of Korobkin's argument focuses on dismissing other critics' interpretation of the law and its evaluation of evidence in *Wieland*.

She admonishes critic Michael Gilmore for his assessment of Carwin as a character who "acknowledges his misconduct, but... has committed no crime punishable by law."¹ Korobkin counters Gilmore's assertion by offering two reasons that yield Carwin as responsible for murder—the first being his deliberate use of Theodore Wieland, as "an instrument of death,"² and the second involving the law's assessment of his malicious actions as meriting punishment.³ Korobkin's second assertion leaves a dimension of the legal system unexamined. Particularly, Korobkin's argument provides limited examination on what happens after a verdict is decided.

This limitation is enhanced by Clara's and Carwin's departure from one another in Chapter XXV, which creates an emotional catharsis for the reader that deters any critical thinking about a key problem in the text. Here, Korobkin's article provides the starting point to explore an institution left mostly unexamined and embedded in the novel—that of criminal punishment. Represented in various genres from the time period, three criminal punishment models in *Wieland* fail to ethically address and treat a mentally-ill offender (Wieland) as this offender navigates through each model. These punishment models include condemnation by public opinion, formal punishment by the justice system through either capital punishment or imprisonment, and self-punishment or self-harm. These models

¹ Laura H Korobkin, "Murder by Madman: Criminal Responsibility, Law, and Judgment in *Wieland*." *American Literature* 72, no. 4 (2000): 721.

² *Ibid.*, 727.

³ *Ibid.*, 733.

operate according to unethical procedures and motives that reflect a selfish society—one obsessed with maintaining its reputation as civilized and economically successful, in ways that trump its concern for applying fair punishment.

I. The Ethics of Punishment by Public Opinion

The first punishment model, condemnation by public opinion, shows the society in *Wieland* as motivated to punish criminals due to the offenders' crime as well as their illogical excuses for that crime. The novel introduces this model in Chapter XVIII, extending it into Chapter XIX. Here, Clara's uncle informs her of Wieland's courtroom testimony. In assessing Wieland's testimony, an audience views his account and his self-proclaimed innocence as illogical, thus motivating a consensus on Wieland deserving punishment. However, a reader should notice this motive for punishment as hypocritical and unethical, being that his illogical criminal excuses are presented to us by an illogical narrator. Before noticing this though, an audience will realize the illogical arguments from Wieland that cause a lack of remorse for him.

Wieland's argument in his testimony aligns closely with an article appearing in from 1796 entitled, "An Account of a Murder Committed by Mr. J---- Y---- on His Family in December 1781." This narrative details James Yates' murder of his family—a narrative that scholars actually hypothesize as the basis for *Wieland*. This hypothesis stems from the Advertisement written by Brown at the novel's beginning, which reads "most readers [of the novel] will probably recollect an authentic case, remarkably similar to that of Wieland."⁴ Yates' and Wieland's testimonies as 'madmen' defer their culpability by using two illogical appeals—firstly, an appeal to patriarchal virtue, or acting as a virtuous father, and secondly, an appeal to divine virtue, or following the will of God. These appeals

⁴ Brown 4.

produce contradictions that frustrate the audience, causing them to expel the mentally-ill criminal from public society without being first condemned the judicial process.

Mr. Yates employs the first appeal to patriarchal virtue in order to excuse his punishment. The account describes Yates as conversing in an “interesting and affectionate” tone prior to the murders, while simultaneously expressing fondness for his wife and caressing “his little ones alternatively.”⁵ Yates discusses his past life as imbued with “domestic felicity.”⁶ Yates then, presents a contradiction to his patriarchy, and seems to suggest that the fallibility of an otherwise virtuous father resulted from a force other than himself. Paralleling Yates’ description as a virtuous father, Wieland insists on his own innocence based on his virtue in fatherhood. While giving his testimony, he poses an inquiry and a statement joined together that reads, “who knows him not as a husband—as a father—as a friend? yet here am I arraigned as a criminal.”⁷ Wieland’s question and statement are posed simultaneously in an attempt to persuade his courtroom audience and inculcate doubt in the jury. This syntactical structure emphasizes the contradiction where he finds himself as both murderer and loving father. He implies that the audience should recognize this contradiction between his past virtue and the Court’s accusation as illogical, and therefore, dismiss his case.

Still attempting to dismiss their culpability, Yates’ and Wieland’s second illogical appeal occurs when the men admit to their guilt, but maintain that they do not deserve punishment due to the divine authority influencing them to commit crime. In making this claim, these men reject several forms of human compassion offered by society. A mentally-ill criminal’s rejection of this compassion creates confusion and causes outrage for readers. Yates’ divine appeal rejecting compassion occurs during a scene in the community church. This church serves as a place to rehabilitate his criminality. However, he refuses to stand with his church’s congregation during prayer by using repetitive tropes

⁵ Anna, “An Account of a Murder Committed by Mr. J--Y--, upon his Family, in December, A. D. 1781.” *The New York Weekly Magazine*. 2, no. 55. (July 1796).

⁶Ibid.

⁷ Brown, *Wieland*, 186.

like “obedience” and “deed”⁸ to describe his decision to murder. Despite the church community’s attempt to compassionately include, treat, and rehabilitate him, Yates resists rehabilitation, thus ranking God hierarchically above any member of the human community.

Wieland resists this human compassion as well, saying that his “obedience [to God] was the test of perfect virtue...”⁹ His testimony continues as he discusses cornering his wife during the murder. Before he can lash out, she holds Wieland’s hand to her heart and asks, “Am I not thy wife?”(194). This questioning temporarily startles Wieland from his mission. He describes her inquiry as “too much,” and that he “broke from her embrace,” just prior to murdering her (194). God supersedes family for both characters despite their simultaneous appeals to patriarchal roles. This produces a contradiction to both characters’ patriarchal virtue, as it implies their acceptance of a God who paradoxically commands their loved ones’ destruction. An audience then, rejects both men’s pleas for mercy and justifiably condemns them.

Despite this condemnation, an audience should still remain amiss of how to interpret each man’s account, as these accounts are inherently misleading and thus, unethical if used as reasoning to condemn Wieland and Yates. Specifically, neither of these crime accounts comes directly from the criminal himself. Rather, these accounts come from an outside third-person narrator who is both unreliable and also mentally incompetent. A focus on both accounts’ authorship leaves readers uncertain of the narrative’s accuracy and motives for punishment. This uncertainty first arises with the third person narrator that conveys Mr. Yates’ first-person account. The Yates’ account starts with a letter to the magazine’s editor from a woman named Anna. The letter states that the account written by Anna originates from “a friend, who is well acquainted with the circumstances that gave rise to it [the event]...”¹⁰ However, another statement implies that Anna’s friend heard this story when still a child.

⁸ Anna, “An Account of a Murder.”

⁹ Charles Brockden Brown, *Wieland or The Transformation*: (New York, NY: Penguin 1991) 200. Text references are to page numbers of this edition.

¹⁰ Anna, “An Account of Murder.”

Anna claims that this friend writes from “what she knew of him herself, and what she heard of him [Yates] in her father’s family...”¹¹ An audience then, becomes confronted with the problem of trusting a child story-teller whose interpretation of events may be influenced by imagination.

The unreliable authorial perspective in the Yates’ account sheds light on Clara’s account in *Wieland*. Clara’s uncle tells her that “one of the hearers [of Wieland’s testimony] faithfully recorded the speech...”¹² This statement draws attention to the potential for a courtroom transcriber’s errors in the transcription process. Moreover, Clara acts as an unreliable narrator as evidenced by her logical fallacies. One such fallacy is exemplified in Chapter IX. When waiting for her love interest Pleyel to arrive at a play rehearsal, Clara hypothesizes irrationally about Pleyel’s whereabouts. Clara connects her memory of him falling out of a canoe and nearly drowning decades ago as a child, as sufficient reason to believe that Pleyel encountered a similar disaster on his way to the rehearsal that day. Thus, her illogical reasoning culminates in her generating a hypothesis she holds as likely true. She notes that “these circumstances combined to bestow considerable plausibility on this conjecture...”¹³

From these separate instances, an audience begins to ponder the accuracy of the accounts offered based on childhood recollection in one account and conjured-up “plausibility” in another. There exists an underlying probability that Wieland’s and Yates’ spoken words received modification by the authors, one of whom may act on imagination and false recollection during her contact with Yates, and another who acts mainly on fallacies throughout the novel. The narrators’ characteristics then, offer the possibility that the incidents themselves, or at the very least, the interpretations of meaning behind the incidents, may have been misconstrued. This misconstruing becomes most evident in the final paragraph of Yates’ account, where the narrator Anna makes two assertions regarding public condemnation.

¹¹ Anna, “An Account of Murder.”

¹² Brown, *Wieland*, 94.

¹³ *Ibid.*, 185

To start, Anna offers two ways to think about Yates' crime—as either influenced by insanity or influenced by Satan.¹⁴ However, Anna concedes that neither option explains the crime fully, as some human actions are better “concealed from us.”¹⁵ Anna's commentary deliberately keeps motives for crime unexplained. Based on her commentary, societal opinion assesses only the visible acts of crime, rather than considering reasons for those actions. Anna's misconstruing also presents two ethical choices. In the first choice, the audience can choose to condemn the criminal based on the narrations by third person narrators. Condemning the criminal based on these narrations causes the audience to assume the same illogical reasoning and limited perspective as the narrators. This first choice sets up a dangerous and unethical precedent that allows a society to apply punishment based on illogical evidence, and an emphasis on a sort of groupthink, where a fallacy can be distorted into truth if agreed upon by the majority. Alternatively, the audience can reject this first choice, and instead, rely on selecting an option within the formal punishment model as offered by the presumably non-biased and government-directed judicial process.

II. The Ethics of Capital Punishment

. This formal punishment by the government is the second model seen in *Wieland*. Chapters XX and XXI of *Wieland* discuss the tension between two formal punishment options— capital punishment and imprisonment. When faced with capital punishment in his own trial, Wieland refuses this punishment assessed by the public. He claims the Court leans toward unfair punishment as “they [the Court] doom me to death...”¹⁶ Appealing again to divine authority, he implies that only God can curtail life. Clara holds this same opinion about life and death when asking her uncle Mr. Cambridge about Wieland's fate after the verdict. She holds the death penalty as “cruel and unmerited!”¹⁷ In his

¹⁴ Anna, “An Account of Murder.”

¹⁵ Ibid.

¹⁶ Brown, *Wieland*, 201.

¹⁷ Ibid., 202.

dissertation, “Public Punishment Versus Private Judgment,” Christopher Black identifies John Locke’s retributive justice theories as fueling the Court’s use of capital punishment during this time period.¹⁸ Opposing Locke’s theories, Dr. Benjamin Rush, an Early American reformer, offered a formal punishment model built on criminal rehabilitation. This model is detailed in two documents from the late 1790s and helps us understand Wieland’s condition in this punishment model. Specifically, Rush’s model is discussed in his own “Considerations on the Injustice and Impolicy of Punishing Murder by Death” and the Philadelphia Society’s “Extracts and Remarks on the Subject of Punishment and Reformation of Criminals.”

Within his model, Rush designated the government as responsible for criminal rehabilitation. Like the first punishment model, his reasoning for the model appears justified. However, Rush’s model simultaneously indicates a society holding two unethical motives underlying their punishment choices. These two motives include first, the maintaining of a favorable reputation, and secondly, the sustaining of a successful economy. If any audience sympathy remains for Wieland and Yates after their testimonies, a “reader-juror” will be thoroughly conflicted by these texts’ descriptions of the motives underlying formal punishment.

Published in 1792, Rush’s “Considerations on the Injustice and Impolicy of Punishing Murder by Death,” functions to outline a need for reform based on six considerations for capital punishment. Furthermore, it presents the first unethical motive in formal punishment. Rush’s Consideration three, in which he criticizes biblical narratives and their legal systems, indicates an Early Republic concerned with their favorable reputation as ‘civilized,’ rather than protecting society or considering the criminal’s needs for rehabilitation. Specifically, Rush critiques two biblical stories and their inability to justify capital punishment as appropriate in modern society. This third Consideration starts with his critique of two flaws in scripture law or Levitical law, which is formed from two legal traditions—the

¹⁸ Christopher Allan Black, “Public Punishment versus Private Judgment: Anti-Gallows Sentiment and Criminal Reform in Antebellum Literature 1772-1855.” (PhD diss., Oklahoma State University, May 2012).

narratives of Moses (Mosaic Law) and Noah (Noahide Law). These flaws show a society choosing a certain punishment option in order to avoid being classified as ‘uncivilized.’ This practice is unethical, in that it advocates punishment for the benefit of societal image and reputation, rather than bringing the criminal to justice.

For the first flaw, Rush implies that a literal adherence to Mosaic Law promotes the death penalty as a too frequently used punishment. He states that, “If the Mosaic Law...be obligatory upon Christians, it follows that it is equally obligatory upon them to punish adultery, blasphemy...that are mentioned in [the law], by death” (6). In addition, Rush asserts that the death penalty stems from an era where applications of punishment were outrageously disproportional to crimes. He implies that a society’s progress will be deterred if they institute the death penalty in the way the prophets did. Rush posits punishment developed through biblical narratives as ones that take hold by the will of that society’s people. Although Moses received the law from God, it is Rush’s claim that the “‘hardness of heart’” of a civilization, rather than God, should be held responsible for the acceptance of capital punishment (5).

Thus, Rush’s first flaw would suggest an inability to punish Wieland by death, as the punishment indicates an uncivilized society. After this discussion, Rush transitions to the second flaw in Noahide Law, which presents capital punishment as being popular due to society’s inadequate resources. Rush discusses this inadequacy during Noah’s time. “Soon after the flood, the infancy and weakness of society rendered it impossible to punish murder by *confinement*,” he writes (5). Thus, punishment by murder existed in Noah’s time because of society’s inability to provide a legitimate alternative to execution with the resources it possessed in the wake of a natural disaster. There arises an assumption then, that to resort to execution would be to suggest a society’s lack of resources to construct prisons. This lack of resources may suggest a number of parallel inferiorities in that society including inferiority in education systems, economic models, or limited access to raw materials.

Because of this, the society is represented as weak. From Consideration three, it appears that a society punishes by a motive to enhance its favorable representation, just as much as it punishes to protect citizens.

If we adhere to Rush's model for punishment up to this point, Yates and Wieland do not deserve death for their actions because of the nonsensical and barbaric nature of the death penalty and how this punishment reflects on a society using it. Contrary to Rush's preference for prisons and his disdain for capital punishment, the literary representation of imprisonment in another piece of Brown's fiction is just as horrific and inhumane as capital punishment.

III. The Ethics of Imprisonment

Imprisonment functions as the second option within the formal punishment model, and although appearing as an ethical alternative to capital punishment, this choice's favorability is driven by the unethical economic incentives it provides a society. In Brown's *Ormond; or the Secret Witness* (1799), imprisonment appears to be the greater of two evils when imprisonment and the death penalty are offered. Constantia, the main character, discusses the horrors of prison after realizing the likelihood of her father's imprisonment on debt charges. She claims that, "the horrors of a prison had not hitherto been expected...it was better to die than go to prison."¹⁹ Moreover, *Wieland* elaborates on this horror by discussing Clara's thoughts when she prepares for her visit to Wieland's prison. She imagines that she will be unable to tolerate "the horrors of his [Wieland's] dwelling-place, his wild yet placid physiology, his neglected locks..."²⁰ Her fear of the prison shows not only her awareness of the physical place, but how that physical place affects those confined to it.

Although Wieland's "neglected looks" may be influenced by his deteriorating mind, his does not provide for any conditions to improve his mental stability. Following the Revolutionary War, a

¹⁹ Brown, *Wieland*, 120

²⁰ Brown, *Wieland*, 211.

number of reformers formed organizations to provide rehabilitative conditions. As mentioned previously, the Philadelphia Society (to which Dr. Rush was a member), sought methods to reverse criminality in prisons and reintegrate these criminals into society. Hence, using one of this Society's texts as a lens, an audience determines that the unethical motive of economic incentive contributes to the decision to imprison Wieland, as Wieland's labor fits into the prison model that could generate the society profit. Thus, a prison punishes first and foremost, generates profit secondarily, and rehabilitates infrequently.

The Bishop William White, president of the Philadelphia Society, argues for imprisonment in the text, "Extracts and Remarks on the Subject of Punishment and Reformation of Criminals" (1790). This text expands on Rush's anti-death penalty argument. The Bishop imbues his argument with an appeal to government authority and duty. A sentence in the first paragraph signifies this duty, which reads, "To contribute comfort to the distressed, to promote reformation amongst the vicious...demand the consideration of every Legislature."²¹ White expects government authority to implement these goals. His argument is structured using letters written by English prison reformers Thomas Beehov and John Howard—one account written on the Wymondham Bridewell and another on the Oxfordshire prison. Together, both letters seem to assert that imprisonment can 'humanize' criminals like Wieland.

Despite this assertion, unethical economic incentives underlie and act as the sincere motivation for rehabilitation in these prisons. Both letters imply that criminal rehabilitation produces two beneficial results—a more rational societal member and an economic producer. It appears though, that the economic producer holds as much or more value. First, Beehov implies that prison life will provide offenders with the humane conditions necessary to develop work skills. In his letter, he provides a "Table of Diet" for the Wymondham prison, which informs readers that prisoners receive only two meals a day (11). What remains significant from Beehov's representation is that this food restriction

²¹ William White. "Extracts and Remarks on the Subject of Punishment and Reformation of Criminals," *The American Museum*. (Philadelphia, PA: Philadelphia Society for Alleviating the Miseries of Public Prisons, 1790.) Text references are to page numbers of this edition.

disappears when an inmate falls ill. In his fourth point of his “Rules and Regulations,” Beehov’s prison allows for “the [prison] physician” to deviate from the strict menu, and select the sustenance necessary to keep an inmate alive.

This duty to provide for inmates’ medical needs, albeit minimally and only in the most urgent cases, follows as a necessity for prisons to develop criminals as tools for profit. Beehov discusses male prisoners that cut “logwood for the dryers,” while the females learned how to “beat, heckle, and weave hemp” (12). All together, the goods produced by prisoners generated a monetary surplus, as “both the tow and the yarn” were sold to local businesses. Beehov writes, “we had the satisfaction to find, that the money arising from the earnings of prisoners...was more than *double* the sum expected for their maintenance” (13). In this way, Beehov offers prisons as profitable places of business where criminals benefit from gaining work ethic and the institution benefits from lowering costs. Here, the prisoner is unethically valued more for their potential as an economic producer than as a rational member of society.

This concept of a prison as a place that generates profits through prisoner work arises again in John Howard’s included letter on Oxfordshire prison. This letter shows an audience how the profits generated from labor outweighed the cost of housing prisoners, thus legitimizing prison as an economically-viable option. Specifically, Howard’s letter centers on a diagram calculating the expenses for all prisoners and the profits generated, in which their “total earnings” amounted to £19,811. The diagram lists “expense in bread,” “clothes,” and “materials for work,” as expenses offsetting earnings, with a final net profit of £2001 ½ in 1786 (19). This substantial profit though, did not reach the prisoners upon their leaving. Howard writes that “some prisoners, when they are discharged, are completely clothed, have a little money in their pockets, and a good character given them...” (19). Thus, good behavior during punishment within the prison is rewarded by inculcating

intrinsic morality and “good character” through disciplinary labor, rather than through receiving the proceeds of that labor.

Here, there exists an ethical problem in this representation of good behavior in prison. This representation assumes that criminality is innate in the criminal, and not influenced whatsoever by the circumstances a criminal finds his or herself in, whether those circumstances. By believing good behavior comes about through labor, the legal system neglects the potential that criminals will return to the system because of the bleak situations awaiting them. Certainly, both reformers want criminals to leave prison with a good character and conscience. Yet, Behoov’s and Howard’s desire for economic incentives in imprisonment posit the criminal as simply a tool for economic gain. The unethical motive arises in the reformers not realizing the need for a criminal to leave prison with the funds and potential for a standard of living that can sustain the good character developed in prison. Without this, a criminal like Wieland returns to a bleak situation perpetuating a cycle of criminality.

Additionally, the problem ignores a character like Wieland and his mental incompetency. This incompetency disables him from being able to work. Moreover, the physical restrictions he faces as a mentally incompetent criminal alienate him. In Chapter XXI, Clara’s uncle Mr. Cambridge notes “his [Wieland’s] chains, and the watchfulness of his guards,” as always increasing.²² This restriction only seems to limit Wieland’s agency in the prison, causing him to escape. Advising his niece not to visit Wieland in prison, Mr. Cambridge states, “you will discover that your duty lies in carefully shunning him.”²³ Thus, the prison model cannot attend to the needs of Wieland, as the mentally-ill are thought to be untamable, irreversibly corrupt, and hence, meant to be shunned. Mr. Cambridge’s final statement in his conversation with Clara indicates Wieland’s only option as death. “There is no hope that his malady will end but with his life,” Cambridge insists (214). .

²² Brown, *Wieland*, 215.

²³ *Ibid.*, 214.

IV. The Ethics of Self-Inflicted Punishment

Based on Mr. Cambridge's assertion, and because neither of the two previous models presented can deal with Wieland, his only other viable option seems to be to harm himself, thus impeding his violent tendencies and the harm he causes to society. In Chapter XXVI, Wieland's suicide affirms the unethical motives behind the novel's punishment models. He cannot be put to death due to the negative ways this reflects on a society. Moreover, his presence in prison is useless, as he cannot be rehabilitated or work to generate profit. Thus, it is Wieland's self-inflicted punishment that provides relief for the characters, and the novel's society as a whole.

However, even an act such as suicide, which physically harmed no one else, received punishment from the Early Republic legal system. This punishment for self-harm results from the same motive for abolishing capital punishment—a desire to deter the development of an uncivilized societal reputation. Published in 1771, Chapter 14 of Judge William Blackstone's *Commentaries on the Laws of England*, confronts suicide as a “double offense” that is both an offense to God and the social contract.²⁴ Blackstone, considered by scholars as the most important legal authority in English common law tradition, claims that the self-murderer must be “in his senses”—a fact clearly not demonstrated by Wieland in his testimony (190).

Further, Blackstone states that the law can only inflict punishment on what the self-murder leaves behind. He defines this as a man's “reputation and fortune” (189). Blackstone provides options to the government for how to humiliate the suicide victim, including disrespectfully burying the victim on the side of a deserted highway or fining his family (190). Additionally, Blackstone explains how a suicidal man's land should be given to the government after his death, thus preventing the wife from inheriting it. Thus, we see this punishment of the suicidal victim's reputation as paralleling the motive for abolishing capital punishment. Punishing suicide serves to enhance the society's reputation as one

²⁴ William Blackstone. *Commentaries on the Laws of England in Four Books*. Book IV, Chapter 14. (Philadelphia, PA: Robert Bell of Philadelphia, 1771). Text references are to page numbers of this edition.

strongly rooted in morality and religion—a valued reputation in this period. However, for Wieland, only his relationships to Clara and Carwin remain at the novel’s end.

Complicating the situation further, these characters aid in Wieland’s suicide. In the final scene, it is Carwin who first tells Wieland, “Cease to cherish thy delusion...thy senses have misled thee to commit these acts.”²⁵ It can be argued then, that Carwin deserves punishment as he is the first to tell Wieland that it is his own free will, and not divine contact, which is responsible for the murders. Moreover, Clara’s passive dropping of the knife seems to assist Wieland’s suicide after Carwin supplies him with the truth. She offers herself as passive and potentially responsible for the suicide act, noting that “when my thoughts became engaged by his [Wieland’s] demeanor, my fingers were stretched as by a mechanical force...”²⁶ When considering this final scene in light of Blackstone’s text, the scene forces ambiguity on the reader, as the audience does not know who is responsible for murder.

V. Reevaluating the Ethics and Motives of Punishment

This ambiguity in culpability for the suicide leads to one outcome—one in which the audience recognizes a larger ethical ambiguity engendered by the motives underlying each punishment model. First, the novel’s society appears to condone punishment based on inaccurate public opinion. This public opinion manifests in unreliable third-party narration. As much as it serves to protect society, punishment also seems motivated by the need for a society to construct a ‘civilized’ representation, and to bolster economic success. Considering Wieland’s treatment through the lens of other texts, an audience recognizes unethical motives behind the novel’s punishment models that parallel motives in our own society. This recognition can engender empowering new thoughts about two aspects—first, the influence of public opinion on criminals and secondly, the growth of for-profit prisons in our nation.

²⁵ Brown. *Wieland*, 262.

²⁶ *Ibid.*, 264.

First, once a criminal is released from imprisonment, discriminatory policies place further restrictions on ex-felons. Specifically, many business's hiring policies regarding ex-felons raise contemporary ethical problems and questions about what outcomes our justice system desires for criminals after their release. These discriminatory practices from the same concept of punishment by public opinion as presented in *Wieland*. Although formal punishment may end, public opinion engenders a clear stigma on the criminal as an insensible, poorly performing, and disruptive employee not worth the economic investment or risk.

Secondly, this recognition of a parallel with the novel can also aid in understanding the recent popularity of privately-owned, for-profit prisons in our country. Providing discipline through labor ignores the development of skills necessary for offenders to end their criminality, and sets up offenders for reoffending. Although labor can serve to inculcate good character, there remains a need to improve access to educational resources rather than relying on labor. To profit from prisoners through labor then, is everything but ethical. Thus, if a society continues to accept crime as unexplainable like Anna does in Yates' account, punishes based on hearsay or evidence from unreliable source, and punishes to enhance its reputation and economy, that society will guide its people towards losing a sense of human dignity and ethics—a type of societal self-destruction similar to *Wieland*'s own demise.

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